

Committee of the Whole

October 8, 2013

The Committee of the Whole of the Benton County Quorum Court met Tuesday, October 8, 2013 at 6:00 p.m. in the Quorum Court Room, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

15 JPs Present: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Chiocco, Curry, Carr, Meyers, Moore, Moehring

Others Present: County Judge Bob Clinard, County Attorney George Spence, Comptroller Sarah Daniels, Administrator of General Services John Sudduth, Department of Emergency Management Director Robert McGowen, Planning Board Chair Mark Curtis

Media: Tom Sissom - Daily Record

Chair Kurt Moore called the meeting to order.

PUBLIC COMMENTS

Larry Kelly of Bentonville commented on the revisions made to the Planning and Development Regulations of Benton County, and complimented the Planning Staff and Legislative Committee for their hard work revising the Planning Development Regulations of Benton County.

ELECTED OFFICIALS

None

COMMITTEE REPORTS

JP Sandlin reported that the Personnel Committee had met and forwarded items to the Finance/Budget committee agenda. She stated that a Personnel Committee meeting will be held Tuesday, October 22, 2013 at 6:00 p.m.

JP Allen reported that the Finance Committee had met and that sales tax collections were up 11.19%, with a net gain of \$511,094 for the year. He stated that a Finance/Budget meeting will be held Tuesday, October 15, 2013 at 6:00 p.m.

JP J. Harrison made motion to read all resolutions and ordinances by title only, seconded by JP Carr.

Motion passed by unanimous voice vote.

JP Allen made motion to move the Northwest Arkansas Regional Transit presentation to first item on the agenda, second JP Sandlin.

Motion passed by unanimous show of hands vote.

JP Allen introduced Rob Smith from the Northwest Arkansas Council, and stated that he is here tonight to ask that Benton County participate in the funding for Ozark Regional Transit.

Rob Smith presented a power point presentation on the Ozark Regional Transit (ORT) “20 for Transit” plan and stated that Ozark Regional Transit is asking that the county increase the annual subsidy it pays to the transit service from \$15,000 to \$257,000. He stated that the additional money could come from the county’s share of the special sales tax for transportation that was approved by voters in 2012. He stated that the proposal would see the transit system expand both its fixed route service and its demand-response services.

Lori Ericson, Ozark Regional Transit board vice chairman asked the court to think about how Benton County is changing, and the new money that Benton County will be receiving from the tax for transportation. She stated transportation means more than just gravel on roads; this is a real opportunity for Benton County to support growth in transit.

Lengthy discussion was held on Benton County providing additional funds to Ozark Regional Transit (ORT) to provide fixed routes and to expand other services to the county.

JP McKenzie stated that a story of empty or near-empty buses leads him to question the demand for the service. He said it is hard to have mass transit without a mass.

JP Carr stated this special sales tax for transportation was to fund roads and asked County Attorney George Spence if it was legally acceptable to funnel the money away from the road department and into a mass transit system.

County Attorney George Spence stated that if the court wants to approve a certain amount for Ozark Regional Transit it could be done.

JP Moehring stated that he was not necessarily opposed to helping fund Ozark Regional Transit but that he was skeptical. He stated that he would like to see the tightening up of this presentation. He stated there is a lot of demand for dollars, but what it is not clear is what the demands of the people are.

JP Allen made motion to forward the Ozark Regional Transit request to the October 21, 2013 Finance/Budget meeting for further discussion, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

A. Resolution Request: Authorizing the Tax Levy for County General and County Road for the year 2013 for Collection in 2014.

JP Allen made motion to approve and forward the proposed resolution to the October 24, 2013 Quorum Court agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

B. Appropriation Ordinance Request: Road Dept. Dept. 44, Fund 020

JP Allen stated this appropriation ordinance is to appropriate an additional \$800,000 for recent storm damages and made motion to approve and forward the proposed appropriation ordinance to the October 24, 2013 Quorum Court agenda, seconded by JP Carr.

Motion passed by unanimous show of hands vote.

C. Appropriation Ordinance Request: County Judge's Office, Dept. 01, Fund 010

JP J. Harrison stated this appropriation ordinance is to appropriate \$10,000 to pay for Rural Development Authority outsourcing of management services to Rural Water Districts #4 and #5, and made motion to approve and forward the proposed appropriation ordinance to the October 24, 2013 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

D. Appropriation Ordinance Request: Sheriff, Dept. 05, Fund 010

JP Allen made motion to approve and forward the proposed appropriation ordinance to the October 24, 2013 Quorum Court agenda, seconded by JP J. Harrison.

Sarah Daniels stated this appropriation ordinance request is to transfer \$26,500 from "Capital" to "Supplies" to repair cameras that were originally budgeted in "Capital" for replacement. She stated that they are asking for approval to utilize the existing funds in "Capital" to purchase a fuel management system.

Motion passed by unanimous show of hands vote.

E. Appropriation Ordinance Request: Non-Dept. & Maintenance, Dept. 23, Fund 440

JP Jones stated this appropriation ordinance is to transfer \$500,000 from "Reserves" to Dept. 23 Non-Dept. & Maintenance, Fund 440 to appropriate additional funds for the purchase of the USA Drug building in Rogers for satellite offices.

JP Jones made motion to approve and forward the proposed appropriation ordinance to the October 24, 2013 Quorum Court agenda, seconded by JP Chiocco.

Motion passed by unanimous show of hands vote.

F. Discussion: Draft Planning and Development Ordinance of Benton County

JP Allen stated that a lot of thought and consideration has gone into this document and that it will be a better working document for the county.

Administrator of General Services John Sudduth thanked the Planning Board members for all of their hard work.

Planning Coordinator Amber Beale presented a power point presentation on the changes made to the Planning and Development Ordinance of Benton County. She stated that the basis for the revisions to the draft were; 1) in response to the comments received from the Legislative

Committee and various stakeholders; 2) to insure consistency with Arkansas State Code; 3) to be consistent with the Benton County Land Use Guide as well as the Benton County Code of Ordinances; 4) for the document be user friendly.

Amber Beale stated that the goal of the new Planning and Development Ordinance of Benton County is to ensure public health and safety through orderly development in Benton County.

Discussion was held on the changes made to the Planning and Development Ordinance of Benton County.

JP Allen stated that this has been a major improvement to the ordinance and that it has been an effort to make it a better working document for the stakeholders. He stated that a few revisions and corrections will need to be made to the final document before it is presented for approval of the court.

JP Allen made motion to approve and forward the Planning and Development Ordinance of Benton County to the October 24, 2013 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous show off hands vote.

PUBLIC COMMENTS

None

OTHER BUSINESS

Department of Emergency Management Director Robert McGowen stated that he is requesting authorization to apply for a grant under the FEMA Hazard Mitigation Grant Program to mitigate the Spanker Creek Bridge on Benton County 40 by elevating and replacing the concrete boxes with a span type bridge. He stated that the grant is for \$250,000 from FEMA for the Hazard Mitigation Grant Program, and will fund up to \$187,500 with a 25% match to be provided by in-kind services.

JP Allen made motion to approve application for the FEMA Hazard Mitigation Grant Program and forward a proposed resolution to approving application for the grant to the October 24, 2013 Quorum Court agenda, seconded by JP J. Harrison.

Motion passed by unanimous show of hands vote.

ADJOURNMENT

Meeting adjourned at 8:00 p.m.

